

3. Plaintiffs Tina Hollaender and Robert P. Hollaender are married and were married at all times relevant to the action giving rise to the complaint.
4. Defendant McCauley Dental is a dental office with its principle place of business at 7581 Alexandria Pike, Alexandria, KY 41001.
5. Defendant Patrick J. McCauley, DMD is a licensed dentist practicing at McCauley Dental with its principle place of business at 7581 Alexandria Pike, Alexandria, KY 41001.
6. The parties to this suit reside in different states.
7. The amount in controversy exceeds \$75,000.
8. This court has: (a) original jurisdiction over the remaining claims within this Complaint, which arise under the laws of the State of Ohio, pursuant to diversity jurisdiction under 28 U.S.C. 1332(a)(1), in that the Plaintiffs and Defendants are citizens of different states and the amount in controversy exceeds seventy-five thousand dollars (\$75,000); and (b) supplemental jurisdiction over such remaining claims, pursuant to 28 U.S.C. 1367(a), in that all claims within this Complaint are so related that they comprise one case, and all claims arise from the same operative facts.
9. Venue is proper under 28 U.S.C. § 1391(b)(2) in that a substantial part of the events giving rise to the claim occurred in Ohio, specifically within the Southern District of Ohio. Plaintiff underwent two surgeries and other treatment in attempts to repair the damage done to her by the Defendant's negligence. This treatment took place in the Southern District of Ohio and it is from these surgeries where Plaintiff has received a large amount of her economic damages. Venue is also proper in the Western Division of the Southern District of Ohio under S. D. Ohio Civ. R. 82.1.

COUNT ONE - NEGLIGENCE

10. Plaintiff incorporates by reference those allegations contained in the preceding paragraphs as though specifically restated herein.
11. Plaintiff, Tina Hollander, placed herself in the professional care of Defendants McCauley Dental and Patrick McCauley DMD for a dental procedure.
12. The procedure was for a bone graft so that Plaintiff Tina Hollander could receive implants, however, because of Defendant's negligence during the operation Plaintiff Tina Hollander was left with no bone in her gum up to her nostril.
13. In an attempt to repair the damage, Plaintiff Patrick Tina Hollander has undergone additional treatment including two more surgeries by other dentists. Neither of these surgeries were successful at repairing the damage done to Plaintiff Tina Hollander by Defendants.
14. Defendants' negligence during the surgeries caused Plaintiff Tina Hollander to be unable to talk for three weeks after the surgery, and because of this Plaintiff Tina Hollander was unable to work in her sales job.
15. Defendants' negligence left Plaintiff Tina Hollander in extreme mental and physical pain immediately after the first surgery which she had relive following her two succeeding surgeries, which were done to correct the damage caused by Defendant's negligence.
16. As a direct result of Defendants' negligence Plaintiff Tina Hollander lost in excess of \$30,000 towards the payment of medical bills for the surgeries and medical treatment she underwent.

17. As a direct result of Defendants' negligence, Plaintiff Tina Hollaender lost wages for the time she was debilitated from the surgeries of a cost yet to be determined.
18. As a result of Defendants' negligence, Plaintiff Tina Hollaender suffered non-economic damages at amount yet to be determined.
19. As a direct and proximate result of Defendants' failure to meet the standard of care, Plaintiff Tina Hollander has endured severe and permanent injuries and scarring, and she will endure future pain, suffering, humiliation, mental anguish, additional medical expenses, loss of earnings, loss of enjoyment of life, and loss of quality of life for the remainder of her life.
20. As a direct and proximate result of Defendants' failure to meet the standard of care, Plaintiff Robert Hollaender has incurred loss of society, consortium, companionship, care, assistance, attention, protection, advice, guidance, counsel, and other intangible losses.

WHEREFORE, Plaintiff demands judgment in an amount exceeding 75,000 dollars, together with interest, costs and any other relief to which it is entitled.

/s/Joseph w. Shea III

Joseph W. Shea III (0002758 OH)
Michelle A. Cheek (0086476 OH)
Attorneys for Plaintiff
SHEA HARTMANN
119 W. Central Parkway
300 Court Index Building
Cincinnati, OH 45202
Phone: (513) 621-8333
Fax: (513) 651-3272
E-mail: jshea@thesheafirm.com
E-mail: mcheek@thesheafirm.com